



03-25-05

PATENT
450101-02031.3

PAUL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Toshiyuki NAKAGAWA et al.

Continuation of
Serial No. : 09/530,074

For : DATA-MODULATING APPARATUS, DATA-MODULATING METHOD, DATA-DEMODULATING APPARATUS, DATA-DEMODULATING METHOD, AND DATA-PROVIDING MEDIUM

Filed : Herewith

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

EXPRESS MAIL

Mailing Label Number: EV345010607US

Date of Deposit: March 24, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Signature of person mailing paper or fee)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 C.F.R. 1.321(b)) and STATEMENT UNDER
37CFR 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-named attorney of record, authorized to act on the behalf of the assignee of record, hereby disclaims the terminal part of the entire patent granted on the above-identified

03/28/2005 KBTEMA1 00000012 09530074

01 FC:1814

130.00 0P

00264862

application which would extend beyond the expiration date of the full statutory term of the patent that issues from parent application serial number 09/530,074 (the "Patent"), and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the Patent. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns. The undersigned further states that 100% of the title to the present application is in Sony Corporation, a Japanese corporation, by virtue of an assignment from the inventors. The assignment was recorded on June 27, 2000 at reel 010956, frame 0621 of the parent application.

The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the Patent, in the event that: the Patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

PATENT
450101-02031.3

Please charge any insufficient fees or credit any overpayment associated with this
Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800

00264862